

FORM PTO-1390  
(REV. 01-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFF

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

5926P037

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  
**10/511571**INTERNATIONAL APPLICATION NO.  
PCT/NL03/00272INTERNATIONAL FILING DATE  
10 April 2003PRIORITY DATE CLAIMED  
4/13/02

## TITLE OF INVENTION

X-Ray Diffraction Apparatus and Method

## APPLICANT(S) FOR DO/EO/US

Paul Frederick Fewster

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items(5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4)).
20. ☒ Other items or information.

Formal drawings transmittal; 5 drawing sheets; Request for Priority; International Search Report; PCT Written Opinion; Response to Written Opinion; IPER; Notification of Transmittal of IPER; return postcard

U.S. APPLICATION NO. (if known, see 37 CFR 1.55) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/511571</div>	INTERNATIONAL APPLICATION NO. PCT/NL03/00272	ATTORNEY'S DOCKET NUMBER 5926p037
---	---	--------------------------------------

  

21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1)-(5):</b> Neither international preliminary amendment examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1110.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$950.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$790.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$750.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>	<b>CALCULATIONS PTO USE ONLY</b>																				
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <input type="checkbox"/>	\$ 950.00																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">CLAIMS</th> <th style="text-align: left;">NUMBER FILED</th> <th style="text-align: left;">NUMBER EXTRA</th> <th style="text-align: left;">RATE</th> </tr> <tr> <td>Total claims</td> <td>16 - 20 =</td> <td>0</td> <td>x 18</td> </tr> <tr> <td>Independent claims</td> <td>3 - 3 =</td> <td>0</td> <td>x 88</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ 300</td> </tr> <tr> <td colspan="3"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td></td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	16 - 20 =	0	x 18	Independent claims	3 - 3 =	0	x 88	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 300	<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 0.00 \$ 0.00 \$ 300.00 \$ 1250.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																		
Total claims	16 - 20 =	0	x 18																		
Independent claims	3 - 3 =	0	x 88																		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 300																		
<b>TOTAL OF ABOVE CALCULATIONS =</b>																					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	\$ 1250.00																				
<b>SUBTOTAL =</b>	\$ 1250.00																				
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). <input type="checkbox"/>	\$																				
<b>TOTAL NATIONAL FEE =</b>	\$ 1250.00																				
Fee for recording the enclosed assignment (37 CFR 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property+	\$																				
<b>TOTAL FEES ENCLOSED =</b>	\$ 1250.00																				
	Amount to be refunded: \$ charged: \$																				

  

a. ☒ A check in the amount of \$ 1250.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 02-2666 in the amount of \$ 1250.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2666. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:  
 Blakely, Sokoloff, Taylor & Zafman LLP  
 12400 Wilshire Boulevard, 7th Floor  
 Los Angeles, CA 90025  
 Telephone: (310) 207-3800

DATE 10/12/09

SIGNATURE Eric S. Hyman

NAME

30,139

REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/511571

DT01 Rec'd PCT/PTO 12 OCT 2004

In re the Application of:

PAUL FREDERICK FEWSTER

Application No.:

Filed:

For: **X-Ray Diffraction Apparatus and Method**

Art Group:

Examiner:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF FORMAL DRAWINGS**

Sir:

Enclosed herewith for filing in the above-identified U.S. Patent Application are the formal drawings, 5 sheets including 8 Figures. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-2666. A duplicate copy of the Fee Transmittal is enclosed for this purpose.

Respectfully submitted,

Blakely, Sokoloff, Taylor & Zafman LLP

Dated: 10/12/07

  
Eric S. Hyman, Reg. No. 30,139

12400 Wilshire Boulevard, 7th Floor  
Los Angeles, CA 90025  
Telephone: (310) 207-3800